



115W

Docket No.: K2020.0004  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Kunio Moriyama et al.

Application No.: 10/790,178

Confirmation No.: 3537

Filed: March 2, 2004

Art Unit: 2881

For: PARTICLE BEAM THERAPY SYSTEM

Examiner: J. J. Leybourne

**PETITION TO MAKE SPECIAL  
UNDER 37 CFR 1.102(d)**

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby petition to make the above-identified application special under MPEP § 708.02, X. The application has not yet been examined.

The present invention relates to a particle beam therapy system (particle beam treatment system) and a particle beam irradiating method used for the treatment of cancer. The particle beam therapy system comprises a charged particle beam generator, a plurality of treatment rooms in each of which an irradiation unit for irradiating the charged particle beam to the irradiation target (cancerous tumor) is disposed, and a plurality of beam transport systems for transporting the charged particle beam emitted from the charged particle beam generator to said respective irradiation units in said plurality of treatment rooms. Further, the particle beam therapy system comprises a control means which decides the sequence for introducing the charged particle beam to the treatment rooms, and forms the beam paths for introducing the charged particle beam to the respective irradiation units in the treatment rooms in accordance with the decided sequence. Therefore, the invention

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07/19/2005 HALI11 00000064 10790178

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130.00 DP

falls into the category of Invention Relating to HIV/AIDS and Cancer specified in MPEP §708.02, X.

Accordingly, applicant requests that this Petition to Make Special be granted and the application undergo accelerated examination.

Please charge our Credit Card in the amount of \$130.00 covering the fee set forth in 37 CFR 1.17(h). Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. K2020.0004.

Dated: July 1~~8~~, 2005

Respectfully submitted,

By Amanda S. Pitcher

Mark J. Thronson

Registration No.: 33,082

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Registration No.: 54,374

DICKSTEIN SHAPIRO MORIN &

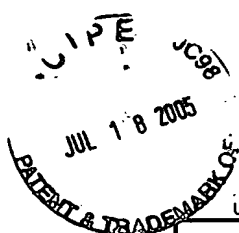
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PTO/SB/17 (12-04v2)  
Approved for use through 7/31/2006. OMB 0651-0032  
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<b>Effective on 12/08/2004.</b> <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b> <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/790,178
<b>TOTAL AMOUNT OF PAYMENT</b>		Filing Date	March 2, 2004
(\$)		First Named Inventor	Kunio Moriyama
130.00		Examiner Name	Not Yet Assigned
		Art Unit	2881
		Attorney Docket No.	K2020.0004/P004

<b>METHOD OF PAYMENT</b> (check all that apply)	
<input type="checkbox"/> Check	<input checked="" type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> None
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<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number: <b>04-1073</b> Deposit Account Name: <b>Dickstein Shapiro Morin &amp; Oshinsky LLP</b>
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

<b>FEE CALCULATION</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
<b>Application Type</b>	<b>Fee (\$)</b>	<b>FILING FEES</b>	<b>SEARCH FEES</b>	<b>EXAMINATION FEES</b>		<b>Fees Paid (\$)</b>	
		<b>Small Entity Fee (\$)</b>	<b>Small Entity Fee (\$)</b>	<b>Small Entity Fee (\$)</b>	<b>Small Entity Fee (\$)</b>		
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
<b>2. EXCESS CLAIM FEES</b>							
						<b>Small Entity Fee (\$)</b>	<b>Fee (\$)</b>
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
<b>Total Claims</b>		<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>		
_____ - 20 = _____		x _____	= _____		<b>Fee (\$)</b>		<b>Fee Paid (\$)</b>
<b>Indep. Claims</b>		<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>			
_____ - 3 = _____		x _____	= _____				
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>			
_____ - 100 = _____	/50	_____ (round up to a whole number) x _____	= _____				
<b>4. OTHER FEE(S)</b>							
Other (e.g., late filing surcharge): 1464 Petitions to the Director not specifically ...						<b>Fees Paid (\$)</b>	
							130.00

<b>SUBMITTED BY</b>			
Signature	<i>A. Pitcher</i>	Registration No. (Attorney/Agent)	33,082
Name (Print/Type)	Mark J. Thronson		Telephone (202) 775-4742
	<i>A. Pitcher</i>	54,374	Date July 19, 2005